# DEXTER VILLAGE COUNCIL REGULAR MEETING TUESDAY, MAY 26, 2009

#### A. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 7:30 by President Keough in the Dexter Senior Center located at 7720 Dexter Ann Arbor Rd. in Dexter, Michigan

#### B. ROLL CALL: President Keough

J. Carson

P. Cousins

D. Fisher

J. Semifero

J. Smith

R. Tell

#### C. APPROVAL OF THE MINUTES

Regular Council Meeting Minutes- May 11, 2009.

Motion Smith; support Carson to approve the Regular Council Minutes of May 11, 2009 with the following correction:

Page 1 G. Non-Arranged Participation, Mr. Rush's remarks correct s aped to a speed.

Unanimous voice vote for approval

#### D. PREARRANGED PARTICIPATION

None

#### E. APPROVAL OF THE AGENDA

Motion Carson; support Smith to approve the agenda as printed.

Unanimous voice vote for approval

#### F. PUBLIC HEARINGS

Amendments to the Village of Dexter Code of Ordinances Article IV – Sewer Services and Article II – Water Service

President Keough opened the hearing at 7:31. There were no comments from the audience. The public hearing was closed at 7:32.

Consideration of: Amendments to the Village of Dexter Code of Ordinances Article IV - Sewer Services and Article II - Water Services

Motion Carson; support Fisher to amend the Village of Dexter Code of Ordinances Article IV – Sewer Services and Article II – Water Services

Ayes: Cousins, Fisher, Smith, Semifero, Tell, Carson and Keough

Nays: None Motion carries

#### G. NON-ARRANGED PARTICIPATION

J. D. Boydston of 6951 Wellington Drive, Dexter commented on an email message sent earlier on May 26 (attached) encouraging the Village to add fluoride to the water supply.

Tom Kochheiser of 230 North Washington Square, Lansing on behalf of the Michigan Dental Association and Washtenaw County District Dental Society spoke on the benefits of fluoride on public health. (His message is attached.)

Susan Deming of the Michigan Department of Community Health on Washington Square, Lansing presented a letter of support of community water fluoridation and offered assistance to help the community purchase equipment for fluoridation. (See attached letter.)

Melissa Barnabo of 3588 Ryan Drive, Dexter spoke as a resident supporting the addition of fluoride to the water supply.

Robert Eber of 7219 Quakenbush, Dexter spoke as a dental professional, a peridontist, strongly supported adding fluoride as the right thing to do.

Debra Eber of 7219 Quakenbush, Dexter, a resident of Huron Farms, spoke <u>in favor of adding fluoride</u> on behalf of the children in Huron Farms and in the school system on adding fluoride.

Woosung Sohn of 3125 Asher Road, Ann Arbor and the University of Michigan Dental School supported fluoridation of Village water.

Carol Schreck of 453 Sumark Way, Ann Arbor spoke as a concerned dental professional in support of fluoridation.

Anne Gwozdek of 3413 Huron View Court, Dexter urged Council to take advantage of the University of Michigan Dental School for information on fluoride.

County Commissioner Mark Ouimet of 3502 River Pines, Ann Arbor spoke of the information sessions that the county is holding on the budgeting process for the county.

#### H. COMMUNICATIONS:

- 1. Upcoming Meeting List
- 2. Washtenaw County Community Forums

#### I. REPORTS

1. Community Development Manager - Allison Bishop

Ms. Bishop submits her report as per packet. In addition Ms. Bishop reported on the following: the DDA Main Street/Jeffords Street Plaza will be on the Planning Commission's agenda for discussion on Monday, June 1; submitted the Michigan Department of Environmental Quality permit last week; Berry &

Associates have submitted a plan for expansion; Allison asked for comments or questions regarding the Code Enforcement Policy that will be presented for adoption on June 8.

### 2. Boards, Commission, & Other Reports

Dexter Area Fire Department Representative – Joe Semifero There was no meeting scheduled for May. Trustee Tell has been replaced on the Fire Board as his replacement term was completed.

Huron River Watershed Council Representative – Paul Cousins Mr. Cousins reported that the Annual Meeting for the Watershed Council was held on April 23 with updates on their program offerings. There has been testing done on the Mill Creek and have found the same organisms after the dam removal as there were before. There have been reports of large fish one mile up Mill Creek. Mr. Cousins mentioned that he has steepped down as the chairman of the Watershed Council but remains as the vice-chair for the next year.

Western Washtenaw Area Value Express Representative – Jim Carson Mr. Carson distributed a 6 month report on the Community Connector which shows that ridership is down about 20% due to the Jackson Road program which is scheduled to end in July. There has been a 16% increase in the Dexter door-to-door riders over the last year. Mr. Carson also presented a draft of the proposed budget and indicated that they will be adopting a deficit budget. Mr. Carson also spoke about a meeting coming up with Scio Township and that they are looking to become a partner in the program.

# 3. Subcommittee Reports No affected reports

# 4. Village Manager Report

Mrs. Dettling submits her report as per packet. In addition Mrs. Dettling reported on obtaining an easement with the Hosmer's for the new well field and there will not be an easement needed from the Bates property due to alignment in the current right of way; and she will be following up on the aesthetics on the Main Street Bridge.

# 5. President's Report

Mr. Keough submits his report as per packet. In addition Mr. Keough reported that he attended the Washtenaw County Budget Forum on Tuesday, May 26.

#### J. CONSENT AGENDA

1. Consideration of: Bills and Payroll in the amount of \$122,340.99

Motion Fisher; support Carson to approve item 1 of the consent agenda as presented.

#### K. OLD BUSINESS-Consideration and Discussion of:

1. Discussion of: Main Street Bridge Project

Staying on track with the aesthetics.

2. Discussion of: Phase 2 Funding Updates

Mr. Carson reported that the stimulus discretionary money request for Phase 2 was sent in through Washtenaw Area Transportation Study to be awarded in February 2011. The minimum amount for projects is \$20,000,000 but a waiver can be requested for lesser amounts. It was also reported that we have not heard anything from Rep. Schauer's office regarding contacting the railroad officials.

3. Discussion of: Facilities

A workshop preceded tonight's meeting on facilities at 8140 Main Street. The question was raised as to the next step and council authorized staff to look into storm water procedures for the parking area and other alternative for facility improvements.

#### L. NEW BUSINESS-Consideration of and Discussion of:

1. Consideration of: Purchasing the Equipment and Materials Needed to Add
Fluoride to the Village Water Supply to the ADAAmerican
Dental Association Recommended Level of 1.0 ppm in the
first quarter of Fiscal Year 2009-2010

Motion Semifero; support Tell to purchase the equipment and materials needed to add fluoride to the Village water supply to the ADA American Dental Association recommended level of 1.0 ppm during the fiscal year of 2009-2010 and pursue available grants to assist in the total cost.

Ayes: Semifero, Tell, Carson, Fisher, Cousins and Keough

Nays: Smith

Motion carries 6 to 1

2. Discussion of: Review 2009/2010 Water & Sewer Budgets

<u>Village Manager noted that Village Wwill</u> need to dip into unrestricted reserve for fluoride and will look into grants. Need to add a line item for fluoride.

3. Consideration of: Acceptance of Proposal from Ferguson Advisory Services LLC

Motion Semifero; support Carson to authorize the Village Manager to execute the Consulting Agreement with Ferguson Advisory Services for an 8-month term, starting June 1, 2009 at a cost of \$17,600.00.

Motion Smith; support Carson to table consideration of the proposal with Ferguson Advisory Services until the next meeting to get more information as to the time in existence of the company, length of time positions held with various organizations, and research examples of other communities that have similar economic programs.

Ayes: Semifero, Fisher, Carson, Cousins, Smith and Keough

Nays: Tell

Motion carries 6 to 1

At 10:23 pm a recess was taken and the meeting re-convened at 10:29 pm

4. Discussion of: Update on Ryan Drive Traffic Calming Project

An update was given on narrowing Ryan Drive for calming and the impact on designating Ryan Drive as a major road. The project is scheduled to proceed in June.

5. Discussion of: Tree Management Plan & Tree Specifications Manual

Ms. Bishop asked for comments on the plan and will present it for adoption at the June 8 meeting.

6. Discussion of: 2009 Preventative Maintenance Program

Review of the proposed cape and crack seal program.

#### M. COUNCIL COMMENTS

Semifero Will talk to Ms. Nicholls regarding comments on the Town Hall

presentation

Tell None
Smith None
Jones None
Carson None

Fisher Glad to see the President Keough stuck to the rules regarding

audience participation

Cousins None

#### N. NON-ARRANGED PARTICIPATION

None

Motion Carson; support Fisher to go into closed session to discuss Village Manager Performance Review per MCL 15.268 section 8(a) at 11:01 pm.

Ayes: Tell, Carson, Cousins, Smith, Fisher, Semifero and Keough

Nays: None Motion carries Motion Tell; support Smith to move out of closed session at 12:24 pm.

Unanimous voice vote for approval

# O. ADJOURNMENT

Motion Carson; support Tell to adjourn at 12:25 pm.

Unanimous voice vote for approval

Respectfully submitted,

Carol J. Jones Clerk, Village of Dexter

Approved for Filing: June 8, 2009

#### ORDINANCE 1-2009

First Reading:

April 27, 2009

Approved:

Public Hearing:

May 26, 2009

Published & Effective:

#### AN AMENDMENT TO THE DEXTER VILLAGE CODE OF ORDINANCES

Article IV - Sewer Service

Sec. 58-128 User Rates and Charges for Wastewater Disposal Service

(b) FIXING RATES AND CHARGES

Commencing on the effective date of this ordinance, the user rates and charges for wastewater treatment shall be fixed by the Village by resolution.

New Section 58.143 - Uniformity of user charge rates

User charge rates for normal strength domestic wastewater shall be uniform to all users in the service area regardless of municipal boundaries.

Sec. 58-144. Sewer rates.

Charges for sewage disposal service shall be levied upon all premises having any sewer connection with the public sewers as established by Resolution.

(1) For service to properties within the village. For all water metered, the operation, maintenance and replacement charge shall be established by Resolution.

Sec. 58-145. Extra strength surcharges.

When approved by village for discharge and after completion of a control manhole, users shall be charged on the basis of the following quarterly strength determinations\* as set by resolution:

Parameter In Excess Of BOD 300 mg/l SS 275 mg/l Phosphorus as P 16 mg/l

Sec. 58-146. Industrial cost recovery.

- (a) As set forth in the sewer use ordinance, all industrial users, of the sewer use ordinance, shall be charged a rate as set by resolution for metered water used in excess of 22 gallons per employee per day (gpepd).
- (b) In lieu of the flow charge, industrial users shall pay surcharges set by resolution where strength and flow data is available:
  - (1) BOD in excess of 300 mg/l;
  - (2) suspended solids in excess of 275 mg/l;
  - (3) phosphorus as P in excess of 16 ma/l;
  - (4) gallons in excess of 22 apepd.

<sup>\*</sup> The strength determination shall be computed from concentrations determined by 24-hour composite samples.

Sec. 58-147. Billing.

All meters shall be read at least quarterly. Bills for sewage disposal services shall be rendered under the supervision of the village, and such bills shall be due and payable on the date specified in the bill. For bills not paid within 30 days thereafter, a penalty shall be applied as set by resolution. The village may alter billing cycles as deemed necessary.

#### Article II - Water Service

Sec. 58-56. Establishment.

Water charges to each dwelling unit and/or business connected with the village's water supply system shall be established by council by resolution.

New Section 58-561. Uniformity of user charge rates

User charge rates for water shall be uniform to all users in the service area regardless of municipal boundaries.

Sec. 58-59. Billing; penalty for delinquent payment.

Charges for water will only be established in the name of the property owner and, or the name of the person responsible for paying property taxes. The owner of the property will be responsible for properly managing rental properties to satisfy their financial needs and the requirement of their tenant for water service. The Village Manager may consider limited exceptions to this requirement. Charges for water will be billed with a period of 30 days in which the amount due must be paid. After such due date, a penalty shall be applied as set by resolution. The village may alter billing cycles as deemed necessary.

Deleted Sec. 58-65.

This Ordinance shall be effective on the day of legal publication - June 4, 2009

Moved - Carson

Seconded - Fisher

Ayes: Cousins, Fisher, Smith, Semifero, Tell, Carson, Keough

Nays: None

Absent: None

ORDINANCE ADOPTION DATE: May 26, 2009

ORDINANCE EFFECTIVE DATE: June 4, 2009

Carol J. Johes, Village Clerk

### **Courtney Nicholls**

From: JD & Jill Boydston [jdandjillb@yahoo.com]

Sent: Tuesday, May 26, 2009 1:15 PM

To: skeough@villageofdexter.org; rtell@villageofdexter.org; jcarson@villageofdexter.org;

pcousins@villageofdexter.org; dfisher@villageofdexter.org; jsemifero@villageofdexter.org;

jsmith@villageofdexter.org; cjones@villageofdexter.org

Cc: Courtney Nicholls

Subject: Please add fluoride to Dexter's water

Dear Dexter Council Trustees,

Thank you for discussing the important issue of fluoride in the public water system at the Council meeting on May 11, 2009. I also appreciate that it is on the Council agenda for May 26, 2009. I urge you to please add fluoride to Dexter's water.

As a follow-up to the May 11 meeting, I also wanted to make the following comments.

Trustee Carson made one of the most important points, that what clinched it for him was the recommendation of numerous medical professionals that fluoride be added. For this reason he would vote yes to add fluoride to Dexter water. Mr. Carson said he originally had not considered this an issue, but he reached his conclusion after doing diligent research and realizing it was an important public health issue.

Trustee Semifero made the other key point, and President Keough echoed his comments: based on the research, adding fluoride to the water reduces the number of cavities. Mr. Semifero would also vote yes to adding fluoride. Mr. Semifero was apparently originally opposed to this idea, but through his research concluded that this is the best thing for the community as a whole.

I applaud both Mr. Carson and Mr. Semeforo for doing their research and coming to scientific-based conclusions. I also applaud Mr. Keough for doing his own research and asking for additional information, rather than eliminating the idea totally.

Trustee Cousins said nobody had ever told him they wanted fluoride in the water, but people had indicated they didn't want "poisonous" fluoride in their water. Well, you had three residents tell you directly at the meeting that they want it, and we have facts supporting the request. In addition two dental professionals at the meeting provided evidence and reasoning to support fluoridation of public water. I've also seen letters to the editor in the Dexter Leader and Ann Arbor News in support of fluoride.

As for those individuals making the poisonous claim, they are at best mis-informed. Did these individuals provide any support for their claim? Dr. Brent Kolb, my dentist, and the dentist of Mr. Keough, told me that he had been provided a "study" from individuals opposing public fluoridation. He said the "research" was based on one case of an individual who already had kidney disease, and then received/took a toxic dose of fluoride, far above the .7 - 1.0 ppm

recommended. The amount recommended is not toxic or poisonous. However, just about anything in excess can be dangerous - too much chlorine, too much pain medication, or any other medication; too much food; too much alcohol; too much sun. While too much of any good thing has the potential to have unintended results, there are simple, effective ways to help insure children do not ingest too much fluoride, and this doesn't mean fluoride in the proper amount is poisonous.

Next time you, or any of the other trustees, hears comments from someone using fear mongering like this, please refer them to the facts. Yes, you need to listen to your constituents, but this is also a chance to educate them. But, please don't let their fear and mis-information guide your decisions. How can you ignore the voices of so many health practioners and public officials, including local dentists and dental hygeniests, the CDC, the ADA, American Academy of Pediatrics (AAP), and others? It's been more than 60 years since Grand Rapids was the first community to do this. If there was credible research and evidence against it, I believe some or all of these individuals and groups would be changing their stance.

Trustees Smith and Cousins - you both said you didn't want to make the decision for everyone, and that it should be an individual choice. Please see Q. 52 in the ADA's Fluoride Facts booklet that has been included in your Council packet.

If you vote no on this, or let the issue die, then you in effect are making a decision for everyone, just on the opposite side. Public officials make decisions for the masses all the time: adding chlorine to water; how much to levy in taxes; how to spend public funds; automobile seatbelt laws; motorcycle helmet laws; child safety seat laws; spraying for mosquitos; police patrol levels, etc. I realize many of these are at different level of government than the council, but the point is that governments can, do, and should make decisions for the public.

President Keough, when you speak to Dr. Kolb, please ask him about this study to which I refer. I hope you find the information that leads you to say Yes on this topic. But, if you don't find a definitive answer, I would have you recall your comments as well as those of Mr. Semifero, that adding fluoride to the water reduces cavities. I would appreciate receiving copies of any information you share with the Council.

To all trustees, if you haven't already done so, please look at the research, and listen to the recommendations of public health officials and medical professionals. Then, **please approve adding fluoride to our water**. If you feel you can't do that yet, then before you let this die or vote against it, please follow the recommendation of your consulant OHM, to educate the public and survey the residents. Then take into account the survey's results in your vote.

Thank you,

JD Boydston Dexter Village resident

#### **RESOURCES:**

# STATEMENTS FROM SIX LEADING HEALTH AUTHORITIES REGARDING COMMUNITY WATER FLUORIDATION

http://www.ada.org/public/topics/fluoride/fluoridation\_statement\_sixauthorities.pdf

American Academy of Pediatrics, Oral Health Initiative http://www.aap.org/commpeds/dochs/oralhealth/fluoride.cfm

American Dental Association

http://www.ada.org/public/topics/fluoride/index.asp

http://www.ada.org/prof/resources/positions/statements/fluoride3.asp

http://www.ada.org/public/media/presskits/fluoridation/index.asp

After 60 Years of Success in Fighting Dental Decay, Water Fluoridation Still Lacking in Many Communities

http://www.ada.org/public/media/releases/0507\_release02.asp

Centers for Disease Control <a href="http://www.cdc.gov/fluoridation/index.htm">http://www.cdc.gov/fluoridation/index.htm</a>

Letters to the editor

# Letters to the Editor (Dexter Leader)

PUBLISHED: January 22, 2009

To the Editor: It was with interest that I read that Dexter's manager and village Council do not find water fluoridation worth the cost. That horse left the barn in the fifties and sixties. The dentist pushing for fluoridation is looking out for public health. Water fluoridation will decrease, not increase her business.

Can any of you remember the public health clinics at Bates Elementary providing fluoride treatments to Dexter children?

Growing up in Dexter in the fifties and sixties (Dexter High School class of '66) I remember Dexter water as disgusting and marginally drinkable. If it hasn't improved, fluoridation won't make any difference as people have to drink it to receive the fluoride. However, if the water is acceptable, the current generation of children deserve the benefits of fluoridation.

Bob Farrell, P.E.

Broomfield, Col.



#### MICHIGAN'S OFFICIAL SOURCE FOR ORAL HEALTH CARE

The Village of Dexter Village Council Meeting May 26, 2009

President Keough and Council Members:

On behalf of the Michigan Dental Association and the 295 members of the local Washtenaw District Dental Society, thank you for the opportunity to discuss community water fluoridation with you this evening. My name is Tom Kochheiser and I am director of marketing and public information for the Michigan Dental Association.

The Centers for Disease Control and Prevention called community water fluoridation one of the 10 great public health achievements of the 20<sup>th</sup> Century.

Community water fluoridation is the safest and most effective way to prevent tooth decay in people of all ages.

Water fluoridation has the most profound impact on the greatest number of people who are at the greatest risk to develop dental disease....and those who are often the least able to do anything about it. Children and the elderly.

Tooth decay is the most common childhood disease--5 times more common than asthma. And it is preventable. When tooth decay is left untreated, the cavity just grows larger, more painful and more expensive to treat.

Fifty-one million school hours are lost each year in this country because of dentalrelated illness. But, it's not only children, as adults lose more than 164 million hours of work each year due to dental disease. Pain and suffering from untreated tooth decay can lead to problems in eating, speaking, self-esteem, and can impact a person's ability to get a job.

Everyone has access to community water fluoridation, and drinking community water requires no change in behavior, and there are no economic barriers. It is the only method of prevention that does not require a dental visit or action by parents or caregivers.

Community water fluoridation is a cost effective public health service. A study by the Centers for Disease Control and Prevention found that water fluoridation saves taxpayers \$53.10 per year for every child served by Medicaid. Overall, every \$1 invested in community water fluoridation saves between \$40 and \$45 in dental costs.

Scientific studies for over 60 years continue to demonstrate the safety and effectiveness of water fluoridation. Yet another endorsement came from the Food and Drug Administration in October 2006 with its decision to allow companies that bottle water with fluoride to claim that fluoride reduces the risk of tooth decay.

The US Public Health Service, the American Medical Association and the World Health Organization—along with more than 90 national and international organizations—support community water fluoridation. Why? These endorsements are based upon the overwhelming weight of scientific evidence which shows water fluoridation to prevent tooth decay and improve oral health.

The World Health Organization summarizes the scientific review of the research conducted over the years, with its 2004 statement:

"Most recently efforts have been made to summarize the extensive database (on fluorides) through systematic reviews. Such reviews conclude that water fluoridation and use of fluoride toothpastes and mouth rinses significantly reduce the prevalence of dental caries...Water fluoridation, where technically feasible and culturally acceptable, has substantial advantages in public health."

WHO Effective use of fluorides for the prevention of dental caries in the 21<sup>st</sup> century; the WHO approach," as published in Community Dentistry and Oral Epidemiology 2004;32:319-21

In 2001, the National Institutes of Health, as part of the consensus statement issued at the conclusion of the conference on dental caries, said: "The panel noted that water fluoridation is widely accepted as both effective and of great importance in the primary prevention of tooth decay."

The dental profession is focused on prevention...and disease prevention is much less traumatic and less expensive to all involved....including the dental team. It's much easier to drink fluoridated water and take care of your oral health than a trip to the dentist to have a cavity fixed.

The dental community urges you to provide the residents of Dexter with the optimal levels of fluoridated water to reduce tooth decay and improve oral health.

Tom Kochheiser Director of Marketing and Public Information Michigan Dental Association 230 N. Washington Sq. Lansing, MI 48933 1-800-589-2632, ext. 422



JENNIFER M. GRANHOLM GOVERNOR

# DEPARTMENT OF COMMUNITY HEALTH LANSING

JANET OLSZEWSKI DIRECTOR

May 27, 2009

Dear Dexter Village Council Members,

I would like to offer the services of the Michigan Department of Community Health (MDCH) -Oral Health Program to provide educational, research or technical assistance to assist you in your deliberation of the difficult decision regarding community water fluoridation. The MDCH mission is to protect, preserve, and promote the health and safety of the people of Michigan with particular attention to providing for the needs of vulnerable and under-served populations. The Oral Health Program stands ready to assist you in, if desired.

There is a significant amount of scientific research and evidence from well-respected scientific organizations, such as the Centers for Disease Control and the American Medical Association that prove the benefits of community water fluoridation. As State Oral Health Director, I am responsible for directing policy based on all literature and resources. I can provide you with any literature or research you would like regarding community water fluoridation.

### Michigan Facts:

- 91% of Michigan's citizens receive community water fluoridation. These citizens do not suffer from any adverse health affects attributed to fluoride. In fact, Grand Rapids, the home of Michigan community water fluoridation, just received an award for the being one of the healthiest cities in America.
- Every dollar spent on community water fluoridation saves \$30 on restorative dental services. The return on investment for fluoridation is one of the best public health prevention activities.
- Community water fluoridation is the only public health measure that provides prevention for our children. These children, that receive little or no dental care, deserve the right to have good teeth without dental disease. Community fluoride is non-discriminatory - all children and adults receive the benefits.
- Many of the poor and the elderly cannot afford to visit the dentist, nor can they afford toothpaste, fluoride rinses or other prevention measures. Parents or guardians of these children cannot afford a prescription for fluoride supplements. A toothbrush is a luxury in some homes. Only 10% of the elderly have access to dental care. Those suffering from developmental disabilities and the infirm face even greater challenges of access to dental care.





JENNIFER M. GRANHOLM GOVERNOR

# DEPARTMENT OF COMMUNITY HEALTH LANSING

JANET OLSZEWSKI DIRECTOR

• Community water fluoridation is considered one of the top ten public health achievements of the 20<sup>th</sup> century

You, as the Village Council, know best what is important for the citizens of Dexter. Weigh the evidence, wade through the emotion, and make the best decision possible. Trust your local public health officials —they are invested in their community and took an oath to provide the best health care possible. They see the ravages of disease and know the benefits of prevention. This decision will affect many generations to come. It is your choice to give children, adults, the aged and the infirm the proven benefits of community water fluoridation. Dexter deserves the same benefits from community water fluoridation that Grand Rapids, Lansing, Detroit and other Michigan cities enjoy. Make the correct decision for the health of your constituents.

Please contact me if I can be of assistance:

Sheile Vandenbush

Dr. Sheila Vandenbush, Oral Health Director

517-335-8388

vandenbushs@michigan.gov